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DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION/CONTINUATION-IN-PART PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated beneath my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

EXPANDABLE SPHERICAL SPINAL IMPLANT

the specification of which

 X is attached hereto.

 was filed on as Application Serial No.
and was amended on .

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability and/or examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent, inventor's certificate or provisional application listed below, and I have also identified below any foreign application for patent, inventor's certificate or provisional application having a filing date before that of the application on which priority is claimed; and/or I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application/continuation-in-part application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112. I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/455,875	March 20, 2003	Pending
Application Serial No.	Filing Date	Status
Application Serial No.	Filing Date	Status

I hereby appoint the following list of attorneys to act jointly or severally as my attorneys, each with full power of substitution and revocation, to prosecute said application and to transact all business in the Patent and Trademark Office and/or all the competent international authorities in connection with an international application connected therewith.

Mark E. Bandy, Reg. No. 35,788 Brian G. Bembenick, Reg. No. 41,463 Alan C. Brandt, Reg. No. 50,218 John P. Cornely, Reg. No. 41,687 E. Kent Daniels, Reg. No. 19,598 Joseph D. Dreher, Reg. No. 37,123 Matthew P. Dugan, Reg. No. 44,663 Christopher B. Fagan, Reg. No. 22,987 Patrick D. Floyd, Reg. No. 39,671 Jude A. Fry, Reg. No. 38,340 Steven M. Haas, Reg. No. 37,841 Karl W. Hauber, Reg. No. 52,999 Michael E. Hudzinski, Reg. No. 34,185 Edward T. Kennedy, Reg. No. 48,478 Richard M. Klein, Reg. No. 33,000 Thomas E. Kocovsky Jr. Reg.No. 28,383 Sandra M. Koenig, Reg. No. 33,722 Scott A. McCollister, Reg. No. 33,961	James W. McKee, Reg. No. 26,482 Richard J. Minnich, Reg. No. 24,175 Jay F. Moldovanyi, Reg. No. 29,678 Philip J. Moy, Reg. No. 31,280 Timothy E. Nauman, Reg. No. 32,283 Erik J. Overberger, Reg. No. 48,556 Sue Ellen Phillips, Reg. No. 32,046 Patrick R. Roche, Reg. No. 29,580 James E. Scarbrough, Reg. No. 47,056 Ann M. Skerry, Reg. No. 45,655 Mark S. Svat, Reg. No. 34,261 Brian E. Turung, Reg. No. 35,394 Robert V. Vickers, Reg. No. 19,504 Gregory S. Vickers, Reg. No. 45,180 Joseph E. Waters, Reg. No. 50,427 Jonathan A. Withrow, Reg. No. 54,548 Jason A. Worgull, Reg. No. 48,044 Thomas E. Young, Reg. No. 28,924 John S. Zanghi, Reg. No. 48,843
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And I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


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Dated this 11 day of March, 2004


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Dated this 10 day of March, 2004